

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the resolve by striking out all of section 1 and inserting the following:

**‘Sec. 1 Adoption. Resolved:** That final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a provisionally adopted major substantive rule of the Department of Education and the State Board of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized except that:

**1. Definition of non-conforming school.** The portion of Section 1 of the rule designated as subsection 27, "Non-Conforming School" is not authorized for final adoption and must be removed; and

**2. Penalty for non-conforming schools.** The 10-point penalty in the portion of Section 3 of the rule designated as subsection 7 within "Priority C: Program and Planning" is not authorized for final adoption and must be removed.

The Department of Education and the State Board of Education are not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this emergency resolve.’

## SUMMARY

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It requires that, prior to final adoption of the rule, the State Board of Education must remove the provisions that establish a 10-point penalty in the rating score for major capital school construction projects for school administrative units that do not conform to the requirements for school district reorganization pursuant to Public Law 2007, chapter 240, Part XXXX by July 1, 2009.